

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE ELETROBRAS SECURITIES
LITIGATION

Case No.: 15-cv-5754 (JGK)

**NOTICE OF LEAD PLAINTIFFS' MOTION FOR
APPROVAL OF ADMINISTRATIVE DETERMINATIONS AND
AUTHORIZATION TO DISTRIBUTE THE NET SETTLEMENT FUND**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Jaime Firenze Regarding Distribution Plan ("Firenze Declaration"), submitted on behalf of the Court-approved Claims Administrator, Epiq Class Action & Claims Solutions, Inc. ("Epiq" or the "Claims Administrator"), Lead Plaintiffs' Memorandum of Law In Support of Lead Plaintiffs' Motion for Approval of Administrative Determinations and Authorization to Distribute the Net Settlement Fund, and the prior record herein, Lead Plaintiffs Dominique Lavoie ("Lavoie") and the City of Providence, Rhode Island ("Providence") (collectively, "Lead Plaintiffs"), hereby move this Court before the Honorable John G. Koeltl, to enter the accompanying [Proposed] Order Approving Administrative Determinations and Authorizing Distribution of the Net Settlement Fund (the "Distribution Order"), that will, *inter alia*:

- (i) approve the administrative determinations of Epiq with respect to the acceptance or rejection of timely submitted claims;
- (ii) approve Epiq's acceptance of a comparatively small number of otherwise valid Proof of Claim forms submitted after the January 4, 2019 deadline, but on or before January 31, 2020;
- (iii) establish January 31, 2020 as the bar date beyond which no new claims will be allowed and no further adjustments to Proofs of Claim that would result in an increased Recognized Loss may be made for any reason;

- (iv) direct the distribution of the Net Settlement Fund to Authorized Claimants whose claims have been recommended for acceptance and approved by the Court according to the proposed Distribution Plan set forth in the Firenze Declaration;
- (v) direct that all distribution checks state that the checks must be deposited promptly and are void and subject to re-distribution if not deposited within 90 days after the issue date;
- (vi) approve the proposed plan for re-distribution of any funds remaining in the Net Settlement Fund after Epiq has made reasonable and diligent efforts to have Authorized Claimants negotiate their distribution checks and no earlier than six (6) months after the initial distribution, and for further such re-distributions, if necessary, until Lead Counsel determines that further re-distribution is not cost-effective, at which time the remaining balance of the Net Settlement Fund shall be contributed to one or more non-sectarian, not-for-profit charitable organization(s) serving the public interest, as designated by Lead Counsel and submitted to the Court for approval;
- (vii) approve Epiq's fees and expenses in the amount of \$454,305.94 that have been incurred or are expected to be incurred by Epiq in connection with the continued administration of the Settlement and the initial distribution of the Settlement Fund;
- (viii) release all claims related to the administration process; and
- (ix) authorize the destruction of all paper and electronic copies of Proofs of Claim and supporting documentation one year after all funds have been distributed.

Pursuant to the terms of the Settlement, Defendants have no interest in the relief requested by this motion. *See* Stipulation ¶8.2.

A proposed Distribution Order is submitted herewith for the Court's consideration.

Dated: June 12, 2020
New York, NY

Respectfully submitted,

KAPLAN FOX & KILSHEIMER LLP

/s/ Frederic S. Fox

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Co-Lead Counsel for the Class

CERTIFICATE OF SERVICE:

I hereby certify that on Friday, June 12, 2020, I caused the foregoing Notice of Lead Plaintiffs' Motion For Approval of Administrative Determinations and Authorization to Distribute the Net Settlement Fund and all supporting documents to be served electronically on all counsel of record.

/s/ Frederic S. Fox

Frederic S. Fox